



# City of Woodland

## REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR  
AND CITY COUNCIL

DATE: June 17, 2008

SUBJECT: Ordinance Regarding Pawnbrokers, Junk and  
Secondhand Dealers

### **Report in Brief**

The proposed Ordinance will address those amendments to the previously adopted language that were appealed in Fresno County for consistency with the law. Council introduced this Ordinance at their June 10, 2008 meeting.

Staff recommends the City Council adopt Ordinance \_\_\_\_\_ to approve the amendments to Chapter 16 of the Code to comply with recent legal rulings.

### **Background**

The City is attempting to curb the theft and resale of precious metals by the imposition of regulations to help dissuade criminals from easily selling these metals. Cities nation-wide are being inundated with these types of thefts. The revisions proposed to the Ordinance adopted late in 2007 will address the recent rulings and still assist Law Enforcement in their efforts to control this type of theft.

### **Discussion**

The Ordinance would change several Sections of Chapter 16, 3 of the Code to assist in deterring theft and resale of precious metals.

### **Fiscal Impact**

There is no impact on the General Fund.

**Public Contact**

Posting of the City Council agenda. Item previously introduced at the June 10, 2008 Council meeting. A summary of the proposed Ordinance was also published in the newspaper with notification that the item would be considered for adoption on June 17, 2008. The revisions were similarly posted.

**Recommendation for Action**

Staff recommends the City Council adopt Ordinance \_\_\_\_\_ to approve the amendments to Chapter 16 of the Code to comply with recent legal rulings.

Prepared by: Sue Vannucci, Director of  
Administrative Services and City Clerk

---

Mark G. Deven  
City Manager

Attachment: Ordinance

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND  
AMENDING CHAPTER 16 OF THE WOODLAND MUNICIPAL CODE RELATING TO  
RECYCLERS AND JUNK DEALERS**

The City Council of the City of Woodland does hereby ordain as follows:

1. **Purpose.** The purpose of this Ordinance is to amend Chapter 16 of the City of Woodland Municipal Code to clarify special considerations and restrictions to the business operations of recyclers and junk dealers.
2. **Authority.** The City Council enacts this Ordinance under the authority granted to cities by Article XI, Section 7 of the California Constitution.
3. **Amendment.** Section 16.12 of the City of Woodland Municipal Code are hereby amended in their entirety to read as follows:

**Sec. 16.12. Transportation of Junk Metals Upon Public Roads.**

A. **Permits Required.** Any person who transports junk metal which includes, but is not limited to wire, cable, copper, iron, brass, steel, or aluminum on public roads in the City of Woodland shall have in that person's possession a valid bill of sale for the junk metal or a written permit issued by the owner of the junk metal authorizing the removal and transport.

B. **Contents of Permit.** Any such permit shall include, but is not limited to, all of the following:

1. The name, address, and signature of the owner.
2. The owner's phone number, if available.
3. The name, address, and signature of the permittee.
4. A description sufficient to identify the real property from which the junk metal was removed.
5. The date of issuance of the permit or bill of sale and the duration of the period of time within which the junk metal may be removed.
6. Any conditions or additional information which the owner may impose or include.

C. **Exemption for Company Vehicles.** This Section 16.12 shall not apply to the transport of any junk metal carried by a company-identified vehicle or junk metal stamp by CA Cash Refund.

D. Expenses. Any expense incurred in caring for any property taken into protective custody pursuant to this Section 16.12 shall be paid by the owner of the property. The cost of caring for the property so held is a lien upon the property. The lien may be enforced in the manner prescribed in Section 3052 of the California Civil Code.

4. Repeal. Sections 16.3 through 16.8, Section 16.10, and Section 16.11 of the City of Woodland Municipal Code are hereby repealed.

5. Effective Date and Notice. This ordinance shall take effect thirty (30) days after its adoption and, within fifteen (15) days after its passage, shall be published at least once in a newspaper of general circulation published and circulated within the City of Woodland.

PASSED AND ADOPTED by the City Council of the City of Woodland this \_\_\_\_ day of \_\_\_\_\_, 2008, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
David Flory, Mayor

ATTEST:

\_\_\_\_\_  
Susan L. Vannucci, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ann M. Siprelle, City Attorney